

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Dominic Marrocco,

4 Plaintiff

5 v.

6 David Johnston, et al.,

7 Defendants

Case No.: 2:18-cv-02441-JAD-EJY

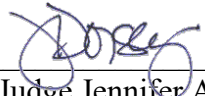
**Order Vacating Trial and Directing Entry
of Judgment Based on Defendant's
Acceptance of Offer of Judgment**

8 In light of the parties' notice that the defendant has accepted the plaintiff's offer of
9 judgment, resolving all claims by and between these parties [ECF No. 201],

10 IT IS ORDERED that **the March 14, 2023, jury trial of this case and all related**
11 **hearings and deadlines are VACATED.**

12 And with good cause appearing and no reason to delay, the Clerk of Court is directed to
13 **ENTER PARTIAL FINAL JUDGMENT under FRCP 54(b) in favor of the plaintiff and**
14 **against defendant David Johnson in the amount of \$199,999.**

15 There remains one unresolved portion of this case—plaintiff's claims against Equinet,
16 Inc. The offer of judgment says nothing about this defendant, against whom default was entered
17 on April 19, 2019. *See* ECF No. 80. **Plaintiff has until February 20, 2023, either to move for**
18 **default judgment against Equinet, Inc. or ask the court to set aside the clerk's entry of**
19 **default against this defendant and dismiss the claims against it.** This case will remain open
20 and active unless and until plaintiff files an appropriate motion.

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22 
23 U.S. District Judge Jennifer A. Dorsey
February 13, 2023